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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/583,703	05/31/2000	Oleg B. Rashkovskiy	INTL-0409-US (P8992)	5209

7590 06/13/2005

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EXAMINER

LUU, LE HIEN

ART UNIT

PAPER NUMBER

2141

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/583,703	RASHKOVSKIY, OLEG B.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Le H Luu	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 08 April 2005.

2a) This action is FINAL.                                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-26 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-26 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 05/31/00 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

1. Claims 1-26 are presented for examination.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
3. Claims 1-26 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Compton et al. (Compton)** patent no. **6,115,035**, in view of **Agnihotri et al. (Agnihotri)** patent no. **6,608,930**, and **Reilly et al. (Reilly)**, patent no. **5,740,549**.
4. As to claim 1, Compton teaches the invention substantially as claimed, including a method comprising:

automatically searching for streaming video files on a plurality of web sites, said web site independently searched (col. 2 lines 11-25; col. 3 lines 33-46; col. 4 lines 30-42; col. 5 lines 5-28; search engine inherently searches plurality of web sites);  
selecting particular streaming video files from said plurality of web sites based on keywords (col. 3 lines 33-46; col. 4 lines 30-42; col. 5 lines 5-27; search engine inherently use keywords search on plurality of web sites); and

in response to said search, generating representations of said streaming video files for display as a graphical user interface (col. 4 lines 43-65; col. 7 line 16-27).

However, Compton does not explicitly teach said selecting step using a text search using keywords, nor said streaming video files organized by categories for display.

Agnihotri teaches user can use many text attributes for searching video streams (col. 12 lines 23-67).

Reilly teaches a data viewer displays video files that are organized by categories (figure 10; col. 13 lines 28-48).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Compton, Agnihotri, and Reilly to select particular streaming video files based on a text search using keywords, and display said streaming video files based on categories because it would quickly locate particular video programs and display information based on user viewing preferences.

5. As to claim 2, Compton teaches automatically searching for streaming video files includes automatically searching for predetermined file extensions associated with streaming video files (col. 4 lines 43-65, fig 3).

6. As to claims 3-4, Compton and Reilly teach automatically searching for streaming video file extensions and for keywords in web sites; organizing said video files into a

category based on the keyword used to locate said video file (Compton, col. 4 lines 30-42; Reilly, figure 10; col. 13 lines 28-48).

7. As to claims 5-7, Compton and Reilly teach representing a plurality of categories and video files associated with said categories, representing each video file by a thumbnail frame, and playing said video file in response to a user selection of said thumbnail video (Reilly, figure 10, col. 13 line 28 - col. 14 line 16).

8. As to claims 8-10, Compton and Reilly teach using said keywords as category icons and displaying a plurality of video files associated with each category icon, accessing said video file over the Internet in response to a user selection of said video file, and periodically automatically searching for streaming video files (Reilly, figure 10, col. 13 line 28 - col. 14 line 16).

9. As to claim 24, Compton and Reilly teach automatically searching the Internet includes automatically transmitting a request to a remote web server for a search engine to perform said Internet search (Compton, col. 4 lines 30-42).

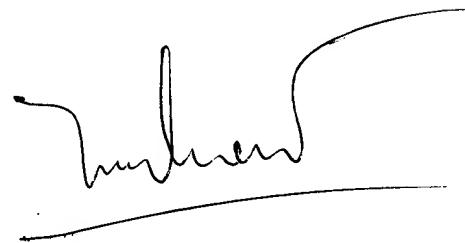
10. Claims 11-23 and 25-26 have similar limitations as claims 1-10 and 24; therefore, they are rejected under the same rationale.

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11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H Luu whose telephone number is 571-272-3884. The examiner can normally be reached on 7:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LE HIEN LUU  
PRIMARY EXAMINER

June 07, 2005